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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/823,571	03/29/2001	Henry Tien Lo		6389

7590

09/12/2003

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EXAMINER

COLLINS, DOLORES R

ART UNIT

PAPER NUMBER

3711

DATE MAILED: 09/12/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application N .

09/823,571

Applicant(s)

LO, HENRY TIEN

Examiner

Dolores R. Collins

Art Unit

3711

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 15.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Webb in view of Kadlic and further in view of Lo

Webb discloses a Method For Playing Double Hand Card Games.

Regarding claims 1, 2 & 4-20

Webb teaches:

- a card game with a plurality of players (see abstract);
- providing and shuffling at least one standard poker deck of cards and at least one joker (see abstract);
- each player placing at least one bet (see abstract and claim 2);
- dealing six card hands to player and dealer (claim 1);

and

- resolving games and wagers (claims 16 & 17)

Webb fails to explicitly teach that cards are discarded.

Kadlic discloses the game American Canasta. His game teaches cards being discarded.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the game of Webb to include the discarding of unwanted cards in order to provide additional opportunities for the players.

Both Webb and Kadlic fail to teach wagers being placed on specified bets.

Lo discloses Card Game. His game teaches the limitation that both Webb and Kadlic fail to teach, i.e., wagers being placed on specified bets.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to add this feature to the modified game of Webb in order to add excitement to the game for the players.

Additionally, Webb teaches predetermined winning tables and payoff amounts. Webb, however, fails to teach the identical predetermined schedules as outlined in the limitations of claims 4-21.

Predetermined winning tables of outcomes and payoff amounts are well known in the art. It would be an obvious matter of design choice to make the predetermined tables/schedules as desired.

Regarding claims 3 & 21

Webb teaches:

- the use of a standard pack plus wild indicia, which could be jokers (see abstract and col. 3, lines 41-43).

Webb fails to explicitly teach a specific number of jokers as wild card.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to duplicate the number of jokers available used since a wild indicia is required for each player and the dealer in this game. A mere duplication would present little or no difficulty to one of ordinary skill in the art.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Wisted (415) & (524), Goldman, Miller, Marquez, English, Breeding and Scott et al. are cited to show the state of art with respect to features of the claimed invention.

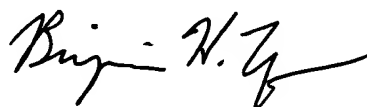
Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Dolores R. Collins** whose telephone number is **(703) 308-8352**. The examiner can normally be reached on 9:00 A.M. - 5:30 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **BENJAMIN LAYNO** can be reached on **(703) 308-1815**. The fax phone numbers for the organization where this application or proceeding is assigned are **(703) 305-3579** for regular communications and **(703) 305-3579** for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is **(703) 308-1148**.



September 11, 2003



Benjamin H. Layno
Primary Examiner